



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
FEBRUARY 24, 2010
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Reg. City Council Meeting – February 10, 2010
9. PRESENTATIONS
 - a) Muchas Gracias – Vicki Pozzebon. (5 minutes)
 - b) Santa Fe Eagle Scout Recognition. (Manny Ortiz) (5 minutes)
 - c) Copenhagen Climate Change Conference. (Ken Huges) (5 minutes)
 - d) Tree City USA Status for 2010. (Arthur “Butch” Blazer, New Mexico State Forester) (5 minutes)
10. CONSENT CALENDAR
 - a) Bid No. 10/09/B – Frenchy’s and Larragoite Parks Renovation Phase 2; Heads Up Landscape Contractors. (Ben Gurule)
 - b) Request for Approval of Amendment No. 2 to Professional Services Agreement – Santa Fe Canyon Hydropower Project; AECOM Technical Services, Inc. (Dale Lyons)
 - c) Request for Approval of Change Orders No.’s 1 and 2 – Construction and Engineering Services Associated with Canyon Road Water Treatment Plant Improvements; Weaver General Construction Company and Environmental Engineering & Technology, Inc. (Stephanie Reynolds)



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d) CONSIDERATION OF RESOLUTION NO. 2010-_____. (Councilor Calvert)

A Resolution Authorizing the Execution and Delivery of a Loan Agreement ("Loan Agreement") by and Between the City of Santa Fe, New Mexico (the "Governmental Unit") and the New Mexico Finance Authority, Evidencing a Special Limited Obligation of the Governmental Unit to Pay a **Principal Amount of No More Than One Hundred Sixty-One Thousand Eight Hundred Seven Dollars (\$161,807)**, Together With Interest, Costs of Issuance and Administrative Fees Thereon, and to Accept a Loan for the Purpose of Financing the Costs of Upgrades to the Governmental Unit's Water Utility System, Including Specifically a Micro-Hydroelectric Power Generation Project; Providing for the Payment of the Principal of, Administrative Fees and Interest Due Under the Loan Agreement Solely from the Pledged Revenues; Setting a Maximum Interest Rate for the Loan; Approving the Form of and Other Details Concerning the Loan Agreement; Ratifying Actions Heretofore Taken; Repealing all Action Inconsistent with this Resolution; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan Agreement. (Dale Lyons)

1) Request for Approval of Drinking Water State Revolving Fund Loan Agreement (No. 2431-DW); New Mexico Finance Authority.

a) Request for Approval of Budget Increase – Grant Fund.

e) CONSIDERATION OF RESOLUTION NO. 2010-_____. (Councilor Bushee)

A Resolution in Support of a Cooperative Agreement Between the New Mexico Department of Transportation (NMDOT) and the City of Santa Fe (City) for the Design, Construction and Maintenance of Various Pedestrian and Bicycle Trails Within NMDOT Right-of-Way on St. Francis Drive in the City of Santa Fe. (Leroy Pacheco)

1) Request for Approval of a Cooperative Agreement – Various Pedestrian and Bicycle Trails Within Right-of-Way on St. Francis Drive; New Mexico Department of Transportation.



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- f) CONSIDERATION OF RESOLUTION NO. 2010-_____.
A Resolution Relating to a Request for Approval of First Quarter Budget Adjustments for Fiscal Year 2009/2010. (Cal Probasco)
- g) CONSIDERATION OF RESOLUTION NO. 2010-_____. (Councilor Wurzburger, Mayor Coss and Councilor Romero)
A Resolution Supporting the Railyard Stewards Efforts at The Railyard Park and Directing the City Manager to Enter Into a Contract with the Railyard Stewards to Provide Services for The Railyard Park. (Bob Siqueros)
- h) Request for Approval to Publish Notice of Public Hearing on March 31, 2010:
 - 1) Bill No. 2010-5 – An Ordinance Authorizing the Execution and Delivery of a Water Project Fund Loan/Grant Agreement by and Between the New Mexico Water Trust Board and the New Mexico Finance Authority (the “Lenders/Grantors”) and the City of Santa Fe (the “Borrower/Grantee”), **in the Amount of One Million Three Hundred Twenty-Four Thousand Four Hundred Sixty Dollars (\$1,324,460)**, Evidencing an Obligation of the Borrower/Grantee to Utilize the Loan/Grant Amount Solely **for the Purpose of Financing the Costs of the Borrower/Grantee’s Watershed Management Project**, and Solely in the Manner Described in the Loan/Grant Agreement; Providing for Payment of the Loan Amount Solely From Pledged Revenues; Certifying that the Loan/Grant Amount, Together with Other Funds Available to the Borrower/Grantee, is Sufficient to Complete the Project; Approving the Form of and Other Details Concerning the Loan/Grant Agreement; Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent with this Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan/Grant Agreement. (Councilor Wurzburger) (Dale Lyons)
 - a) Request for Approval of Water Project Fund Loan/Grant Agreement (No. 171- WTB); New Mexico Finance Authority
 - 1) Request for Approval of Budget Increase – Grant Fund.



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- 2) Bill No. 2010-6 – An Ordinance Authorizing the Execution and Delivery of a Water Project Fund Loan/Grant Agreement by and Between the New Mexico Water Trust Board and the New Mexico Finance Authority (the “Lenders/Grantors”) and the City of Santa Fe (the “Borrower/Grantee”), **in the Amount of Four Million Dollars (\$4,000,000)**, Evidencing an Obligation of the Borrower/Grantee to Utilize the Loan/Grant Amount Solely **for the Purpose of Financing the Costs of Construction of the Buckman Surface Water Direct Diversion Project**, and Solely in the Manner Described in the Loan/Grant Agreement; Providing for Payment of the Loan Amount Solely from Pledged Revenues; Certifying that the Loan/Grant Amount, Together with Other Funds Available to the Borrower/Grantee, is Sufficient to Complete the Project; Approving the Form of and Other Details Concerning the Loan/Grant Agreement; Ratifying Actions Heretofore Taken; Repealing all Action Inconsistent with this Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Loan/Grant Agreement. (Councilor Wurzburger) (Alan Hook)
 - a) Request for Approval of Water Project Fund Loan/Grant Agreement (No. 170- WTB); New Mexico Finance Authority
 - 1) Request for Approval of Budget Increase – Grant Fund.
 - i) Request for Approval of Consideration to Re-Establish Positions in FY 2009/2010 Budget. (Vicki Gage) (Postponed at February 10, 2010 City Council Meeting) **(Removed by Staff.)**
11. CONSIDERATION OF RESOLUTION NO. 2010-_____.
A Resolution Directing Staff to Review the Existing Rates for Use of the Santa Fe Community Convention Center in Order to Encourage Local Events. (Councilor Chavez) (Keith Toler)
12. MATTERS FROM THE CITY MANAGER
13. MATTERS FROM THE CITY ATTORNEY
14. MATTERS FROM THE CITY CLERK
15. COMMUNICATIONS FROM THE GOVERNING BODY



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EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS
- H. PUBLIC HEARINGS:
 - 1) Request from Admiral Beverage Corporation for a Wholesaler Liquor License (Beer Only) to be Located at Admiral Beverage Corporation, 7 Paseo de River. (Yolanda Y. Vigil)
 - 2) Request from Jambo Cafe, LLC, for a Restaurant Liquor License (Beer and Wine On-Premise Consumption Only) to be Located at Jambo Café, LLC, 2010 Cerrillos Road, Suite #13. (Yolanda Y. Vigil)
 - 3) CONSIDERATION OF BILL NO. 2009-44: ADOPTION OF ORDINANCE NO. 2009-_____. (Councilor Chavez)
An Ordinance Amending Section 14-6.3 (C)(1) SFCC 1987 Clarifying the Ownership of Accessory Dwelling Units and Requiring the Recording of Restrictive Covenants for Accessory Dwelling Units. (Jeanne Price)
(Postponed at December 9, 2009 City Council Meeting)
 - 4) Request for Approval of Amendment No. 2 to Professional Services Agreement – Santa Fe Complex. (Kathy McCormick)
 - 5) Request from The National Dance Institute of New Mexico (NDI-NM) for a Permanent Waiver of the 300 Foot Location Restriction to Allow the Dispensing/Sale of Alcoholic Beverages at NDI-NM, 1140 Alto Street which is within 300 feet of Desert Academy and the Former Alameda Middle School. (Yolanda Y. Vigil) (Postponed at February 10, 2010 City Council Meeting) **(Postponed to March 10, 2010 City Council Meeting)**



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- 6) CONSIDERATION OF BILL NO. 2010-2: ADOPTION OF ORDINANCE NO. 2010-_____.
An Ordinance Repealing Chapter 27 SFCC 1987 and Creating a New Chapter 27 SFCC 1987 Regarding Telecommunication and Cable Services. (Maureen Reed) (Postponed at February 10, 2010 City Council Meeting) **(PUBLIC HEARING IS CLOSED) (Postponed to March 10, 2010 City Council Meeting)**
- a) CONSIDERATION OF BILL NO. 2010-3: ADOPTION OF ORDINANCE NO. 2010-_____.
An Ordinance Granting a Non Exclusive Franchise to Newpath Networks, LLC to Rent, Use and Occupy the City's Public Rights-of-Way in the City of Santa Fe, New Mexico, and Fixing the Terms and Conditions Thereof. (Maureen Reed) **(PUBLIC HEARING IS CLOSED) (Postponed to March 10, 2010 City Council Meeting)**
- b) CONSIDERATION OF BILL NO. 2010-4: ADOPTION OF ORDINANCE NO. 2010-_____.
An Ordinance Granting a Non-Exclusive Franchise to Citylink Fiber Holdings of Santa Fe, New Mexico, LLC to Rent, Use and Occupy the City's Public Rights-of-Way in the City of Santa Fe, New Mexico, Fixing the Terms and Conditions Thereof. (Maureen Reed) **(PUBLIC HEARING IS CLOSED) (Postponed to March 10, 2010 City Council Meeting)**

I. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been addressed, the meeting should be reconvened at 7:00 p.m., the following day and shall be adjourned not later than 12:00 a.m. Agenda items, not considered prior to 11:30 p.m., shall be considered when the meeting is reconvened or tabled for a subsequent meeting.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) days prior to meeting date.